

9/10/13

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of : )  
Daniel DUPRET *et al.* ) Examiner: S. Chunduru  
Serial No.: 09/723,316 ) Group Art Unit: 1637  
Filed: November 28, 2000 )

For: PROCESS FOR OBTAINING RECOMBINED NUCLEOTIDE SEQUENCES IN  
VITRO, LIBRARIES OF SEQUENCES AND SEQUENCES THUS OBTAINED

**STATEMENT OF SUBSTANCE**  
**OF INTERVIEW UNDER 37 C.F.R. § 1.133**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.133 and M.P.E.P. § 713.04, Applicants herein provide a summary of a telephonic interview between Applicants' representative and Examiner Chunduru conducted on January 5, 2005. Applicants respectfully note that their record of the date of the interview differs from the U.S. Patent and Trademark Office's record, which states that the interview was conducted on January 4, 2005.

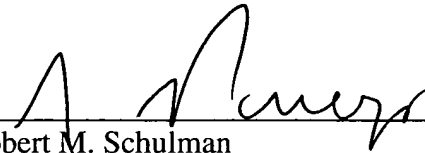
During the interview, the Examiner stated that she is prepared to make double patenting rejections over the claims of certain co-pending applications and a patent. In addition to the co-pending applications, the Examiner stated that she intends to reject certain claims of the instant application based on double patenting over certain claims in U.S. Patent No. 6,514,703 ("the '703 patent"). However, subsequent to the subject telephonic interview, Applicants' representative contacted the Examiner via telephone to notify her that any double patenting rejection of any claims in the instant application over the '703 patent is improper. On January 11, 2005, the Examiner contacted the Applicants via telephone and stated that she discussed this matter with the Primary Examiner. The Examiner stated that the Primary Examiner agreed that the claims of the instant application cannot be rejected based on double patenting over the '703 patent. The Examiner stated, therefore, that no Terminal Disclaimer over the '703 patent is required in the instant application.

It is believed that no fees are due in connection with this response. However, if any fees are determined to be due, the Commissioner is hereby authorized to charge these fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,  
HUNTON & WILLIAMS LLP

Dated: March 7, 2005

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